

MICHAEL B. JOHNSON,
on behalf of himself and on behalf of those
similarly situated plaintiffs,

VS.

PUSHPIN HOLDINGS, LLC, JAY COHEN,
LEONARD MEZEI, ARI R. MADOFF,
ALISHA ROSS, LOUISA TATBAK,
SHAUN REDWOOD, GCN HOLDING,
LLC, and CIT FINANCIAL USA, INC.,

Defendants.

Case No. 2013-cv-7468 (CPK) (YBK)

Defendants, PUSHPIN HOLDINGS, LLC (“Pushpin”), JAY COHEN (“Cohen”), LEONARD MEZEI, ARI R. MADOFF, ALISHA ROSS, LOUISA TATBAK, SHAUN REDWOOD, GCN HOLDING, LLC and CIT FINANCIAL USA, INC. (collectively, the “Pushpin Defendants”), by and through their attorneys, Moses and Singer LLP and Levenfeld Pearlstein, LLC, respectfully move this Court for entry of a separate document setting out judgment in favor of Defendants pursuant to Fed.R.Civ.P. 58 and state as follows:

LP 6439214.1 \ 38909-95761

2. Fed.R.Civ.P. 58(a) provides that “[e]very judgment and amended judgment must be set out in a separate document...” A separate document, however, is not required for an order disposing of a Fed.R.Civ.P. 59 motion to reconsider. *Id.*

3. In the instant matter, and pursuant to Fed.R.Civ.P.58(b)(1)(C), the Clerk of the Court has not yet entered a separate judgment as a result of the March 23, 2015 Memorandum Opinion (Dkt. 105) denying all relief requested by Plaintiffs and disposing of this lawsuit in its entirety.

4. Pursuant to Fed.R.Civ.P. 58(d), Defendants respectfully request “entry of a judgment set out in a separate document as required by Rule 58(a).”

WHEREFORE, Defendants respectfully request: (a) that this Court direct the Clerk to enter judgment in favor of Defendants in a separate document in light of the March 23, 2015 Memorandum Opinion (Dkt. 105) denying all relief requested by Plaintiffs and granting dismissal of this lawsuit in its entirety and (b) any other relief justified under the circumstances.

Dated: August 11, 2015

Respectfully submitted,

By: /s/Jason B. Hirsh

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I, Jason B. Hirsh, an attorney, hereby certify that on August 11, 2015, I electronically filed this **Motion for Entry of Separate Judgment Pursuant to Fed.R.Civ.P. 58** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorneys of record.

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/s/ Jason Hirsh
JASON B. HIRSH